

REMARKS

Claims 10 to 22 are now pending in the present application.

It is respectfully submitted that all of the presently pending claims are allowable for at least the following reasons.

With respect to paragraph seven (7) of the Office Action, Applicants thank the Examiner for indicating that claims 13 to 15 and 19 to 22 contain allowable subject matter. Since, however, the base claims are allowable as explained herein, the objections are respectfully traversed, and it is therefore respectfully requested that the objections be withdrawn.

With respect to paragraph four (4), claims 10 to 12, 16 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,907,540 to "Hayashi" (the "Hayashi" reference) in view of U.S. Patent No. 6,690,657 to Lau et al. (the "Lau" reference).

For a claim to be rejected for obviousness under 35 U.S.C. § 103(a), not only must the prior art disclose or suggest each element of the claim, but the prior art must also suggest combining the elements in the manner contemplated by the claim. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990). The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. M.P.E.P. §2142. To establish a *prima facie* case of obviousness, the Examiner must show that there is some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine the references and that, when so modified or combined, the prior art teaches or suggests all of the claim limitations. M.P.E.P. §2143. It is respectfully submitted that these criteria for obviousness are not met here.

Independent claim 10 relates to a bus station for exchanging with other bus stations a communication including a data packet and transmission information. The bus station includes an arrangement for storing position information of the bus station in relation to a sequence of bus stations and an arrangement for determining from the transmission information position information of the one of the bus stations that is transmitting. The bus station according to claim 10 also includes an arrangement for, on receiving the communication, determining a time slot belonging to the bus station on the basis of the position information of the one of the bus stations that is transmitting and the position information of the bus station. The bus station according to claim 10 also includes an

arrangement for sending the communication including the data packet after the data packet is received, the communication being sent in a next time slot belonging to the bus station.

The Office Actions to date admit that “Hayashi” reference does not disclose the feature of an arrangement for “determining a time slot belonging to the bus station based on position information and transmitting the packet in the next time slot belonging to the bus station.”

As to the secondary “Lau” reference, it is not prior art, since it only has a filing date of February 25, 2000, whereas the present case (which is the U.S. National phase case for PCT/DE98/03074) has an effective U.S. filing date of the filing date of the PCT case, which is October 21, 1998. Accordingly, the “Lau” reference does not cure the foregoing critical deficiency of the primary “Hayashi” reference, since the “Lau” reference is not prior art.

Accordingly, claim 10 is allowable, as are its dependent claims 11, 12, 16 and 17.

As further regards claim 11, it provides that the communication includes a direction vector indicating that a sequence will be run through in one of a first direction and a second direction that is opposite the first direction. It is submitted that the Office Actions to date do not properly assert or establish that the communication includes a direction vector. Modifying a search frame to include a relay station does not disclose or even suggest a direction vector, and the “Lau” reference does not cure this critical deficiency, since it is not prior art.

Still further, claim 11 is patentable over the “Hayashi” reference since the Relay Station Address Field 12f in Figure 10 is not a direction vector as provided for in the context of claim 11. This is because even if the address field 12f includes a row of addresses of relay stations, the direction in which these are traversed is open and is not even transmitted with the data packet of Figure 10.

Accordingly, claim 11 is allowable for this further reason, as is its dependent claim 16.

Claim 18 was rejected under 35 U.S.C. § 103(a) as unpatentable over the “Hayashi” reference in view of the “Lau” reference and further in view of United States Patent No. 5,369,745 to Faber (the Faber reference).

Claim 18 depends from claim 10, and is therefore allowable for the same reasons as claim 10, including for the reason that “Lau” is not prior art, and for the reason that the third-level “Faber” reference does not cure the critical deficiencies of the primary “Hayashi” reference.

Accordingly, claims 10 to 22 are allowable.

CONCLUSION

It is therefore respectfully submitted that claims 10 to 22 of the present application are allowable. It is therefore respectfully requested that the objections and rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,


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